

D. Haynes  
#2002DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "CAPILLARY FLOW CONTROL IN A FLUIDIC DIAGNOSTIC DEVICE", the specification of which was filed on 03/31/00 as United States Application Number or PCT International Application Number 09/541,376.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

\_\_\_\_\_  
Application Serial No.  
09/333,765

\_\_\_\_\_  
Filing Date  
06/15/99

\_\_\_\_\_  
Status  
Pending

\_\_\_\_\_  
Application Serial No.  
09/354,995

\_\_\_\_\_  
Filing Date  
07/16/99

\_\_\_\_\_  
Status  
Pending

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith as well as to file equivalent patent applications in countries foreign to the United States including the filing of international patent applications in accordance with the Patent Cooperation Treaty: Mark Warfield (Reg. #33,463), One Johnson & Johnson Plaza, New Brunswick, NJ 08933, Bernard E. Shay (Reg. # 32,061) and Mayumi Maeda (Reg. # 40,075) LifeScan, Inc., 1000 Gibraltar Drive, Milpitas, CA 95035, as well as all attorneys registered to practice before the U.S. Patent and Trademark Office who are associated with Customer No. 27777 (Johnson & Johnson).

Address all telephone calls to Mayumi Maeda at telephone no. (408) 956-4790.

Address all correspondence to Mayumi Maeda, LifeScan, Inc., 1000 Gibraltar Drive, M/S 3G, Milpitas, CA 95035-6312.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by

fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature:  
Full Name of Sole  
or First Inventor

  
Robert Justice SHARTLE

Date: August 13, 2002

Citizenship: USA  
Residence: 852 Kingsbury Drive, Livermore, CA 94550  
Post Office Address: Same as above